

BILL NO. G-95-03-14 (AS AMENDED)

GENERAL ORDINANCE NO. G- 24-95

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating an alley thereof.

WHEREAS, a petition to vacate an alley within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate an alley within the City of Fort Wayne, more specifically described as follows, to-wit:

Commencing at the northeast corner of Lot 265, Hamilton's Fourth Addition to the City of Fort Wayne, Indiana; thence south along the westerly line of a 15.5 foot wide alley, 150.00 feet to an intersection point with the south line of Lot 354, said plat as extended; thence east 29 feet to the southwesterly most corner of said Lot 354, said point being 36 feet west of the southeast corner said Lot 354; thence northwesterly along the southwesterly line of said Lot 354 to a corner of said Lot 354 that is 136 feet south of the northwest corner said Lot 354; thence north along the easterly line of said 15.5 foot wide alley to the northwest corner of said Lot 354; thence west, along the south line of Creighton Avenue, 15.5 feet to the place of beginning.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.


COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

J. TIMOTHY MCCAULAY, CITY ATTORNEY

** Public hearing to be held on _____,

the _____ day of _____, 1995,

in the Council Chambers.

Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by Ravine,
and duly adopted, read the second time by title and referred to the
Committee on Regulations (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Conference Room 128, City-County Building, Fort
Wayne, Indiana, on _____, the _____ day of _____
19____, at _____ o'clock
M., E.S.T.

DATED: 3-14-95

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Ravine,
and duly adopted, placed on its passage. PASSED
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY				<u>✓</u>
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 9-26-95

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 9-24-95
on the 26th day of September, 1995

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Don J. Schneider
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 26th day of September, 1995,
at the hour of 11:30 o'clock A., M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 28th day of September,
1995, at the hour of 5:15 o'clock P., M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

BILL NO. G-95-03-14 (as amended)

REPORT OF THE COMMITTEE ON
REGULATIONS
CLETUS R. EDMONDS - REBECCA J. RAVINE - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the Thoroughfare
Plan of the City Comprehensive ("Master") Plan by vacating an
alley thereof

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Jan Talbot

Rebecca J. Ravine

Charles R. Edmonds

David R. Smith

Q. S. Smith

Mark E. Smith

Cletus R. Edmonds

DATED: 9-26-95

Sandra E. Kennedy
City Clerk

#578
1
2 BILL NO. G-95-03-14

3 GENERAL ORDINANCE NO. G-_____

4 AN ORDINANCE amending the Thoroughfare
5 Plan of the City Comprehensive ("Master")
6 Plan by vacating an alley thereof.

7 WHEREAS, a petition to vacate an alley within the City of
8 Fort Wayne (as more specifically described below) was duly
9 filed with the City Planning Commission; and

10 WHEREAS, said Commission duly held a public hearing
11 thereon; and

12 WHEREAS, said Commission has duly forwarded its
13 recommendation to this body approving said petition, and this
14 body having held a public hearing on said vacation as provided
15 in I.C. 36-7-3-12; and

16 WHEREAS, this body concurs in the recommendation of the
17 City Planning Commission.

18 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
19 THE CITY OF FORT WAYNE, INDIANA:

20 SECTION 1. That the petition filed herein to vacate an
21 alley within the City of Fort Wayne, more specifically
22 described as follows, to-wit:

23 Commencing at the northeast corner of Lot 265,
24 Hamilton's Fourth Addition to the City of Fort
25 Wayne, Indiana; thence south along the westerly
26 line of a 15 foot wide alley, 150.00 feet to an
27 intersection point with the south line of Lot 354,
28 said plat as extended; thence east 29 feet to the
29 southwesterly most corner of said Lot 354, said
30 point being 36 feet west of the southeast corner
31 said Lot 354; thence northwesterly along the
32 southwesterly line of said Lot 354 to a corner of
said Lot 354 that is 136 feet south of the
northwest corner said Lot 354; thence north along
the easterly line of said 15 foot wide alley to the
northwest corner of said Lot 354; thence west,
along the south line of Creighton Avenue, 15 feet
to the place of beginning.

and which vacating amends the Thoroughfare Plan of the City
Comprehensive ("Master") Plan and is hereby approved in all
respects.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage, any and all necessary

approval by the Mayor.

C. R. Edmonds
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay
J. TIMOTHY MCCAULAY, CITY ATTORNEY

** Public hearing to be held on _____,
the _____ day of _____, 1995,
in the Council Chambers.

Sandra E. Kennedy, City Clerk

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IN.,

RECEIVED FROM

THE SUM OF

ON ACCOUNT OF

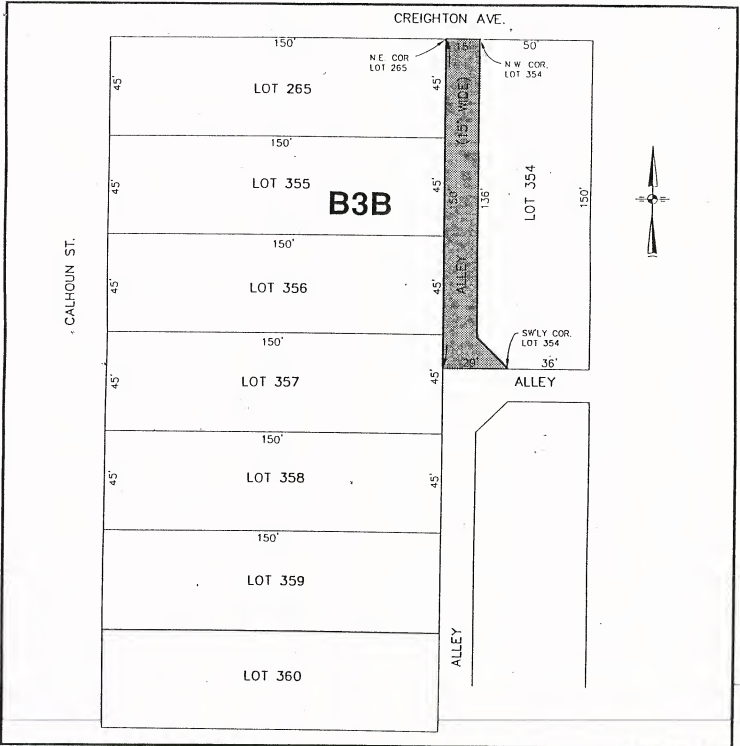
17903

PAID BY: CASH ☐ CHECK ☒ M.O. ☐

VACATION PETITION

AREA MAP

CASE NO. #578



COUNCILMANIC DISTRICT NO. 1

Map No. M - 3

LW 2-22-95

R1	One-Family	B1	Limited Business	M1	Light Industrial
R2	Two-Family	B2	Planned Shopping Center	M2	General Industrial
R3	Multi-Family	B3	General Business	M3	Heavy Industrial
RA/RB	Residential	B4	Roadside Business	MHP	Mobile Home Park
PUD	Planned Unit Dev.	POD	Professional Office District		



Vacation Petition

Community & Economic Development / 1 Main Street Rm. 830
Fort Wayne, IN 46802 / (219) 427-1140

I/We do hereby petition to vacate the following:

☐ Plat or portion of plat

☐ Easement

☒ Public Right-of-Way (street or alley)

More particularly described as follows:

See Attached Description and Sketch

(Please attach a legal description of the property)

The reasons for the proposed vacation are as follows:

To allow for on site parking at future Walgreens.

(If additional space is needed please attach a separate page)

Property owner(s) name(s): Joseph W. & James H. Thomas (Parcels 354,355,356,357)

Street Address: 118 W. Creighton Avenue / 2317 S. Calhoun Street

City: Fort Wayne State: IN Zip: 46803 Phone: 744-3261

(If additional space is needed please attach a separate page)

Applicants Name (if different from above): E.L.F. Corporation President: Evert L. Foote

Street Address: 4260 Hidden Lakes Drive, S.E.

City: Kentwood State: MI Zip: 49512 Phone: (616) 455-6900

I/We, your petitioners, file this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance. I/We agree to abide by all provisions of the Fort Wayne Zoning Ordinance and/or Subdivision Control Ordinance, as well as all procedures and policies of the Fort Wayne City Plan Commission as those provisions, and policies relate to the handling and disposition of this petition. I/We also certify that this information is true and accurate to the best of my/our knowledge.

Christopher J. Cook
Signature

Christopher J. Cook
Printed Name

2-14-95
Date

95 West Main Street
Address

Benton Harbor, MI 49022
City/State/Zip

Joseph W. Thomas
Signature

JOSEPH W. THOMAS - 2-15-95
Printed Name

Date

2317 S. Calhoun St
Address

Fort Wayne, Ind.
City/State/Zip

Agents Name (Please print legibly): Abonmarche Consultants, Inc.

Street Address: 95 W. Main Street

City: Benton Harbor State: MI Zip: 49022 Phone: (616) 927-2295

NOTICE:

- Legal description is to be of the area to be vacated and must be complete and correct. If necessary a licensed surveyor's legal description may be required.
- All adjacent property owner's signatures must accompany this application.
- Applicant is hereby informed that in the case of a utility being located in a public way or easement, the applicants may be required to bear the cost of relocation, or of providing a replacement easement or easements as needed.
- Applicant is also hereby informed that the vacation of a subdivision plat does not necessarily vacate any dedicated right-of-way(s) or utility easement(s), nor any restrictive covenants that may apply.

For Office Use Only:

Receipt #:	Date Filed:
Map #:	Reference #:

Adjacent Property Owners (Continued)

Property Owners Name: Dixie J. Patterson (Parcel 265)
Street Address: 116 W. Creighton Avenue
City/State/Zip: Fort Wayne, IN 46803
Telephone: 489-0959

Property Owners Signatures:

Dixie J. Patterson
Signature

DIXIE J PATTERSON
Printed Name

2-15-95
Date

Signature

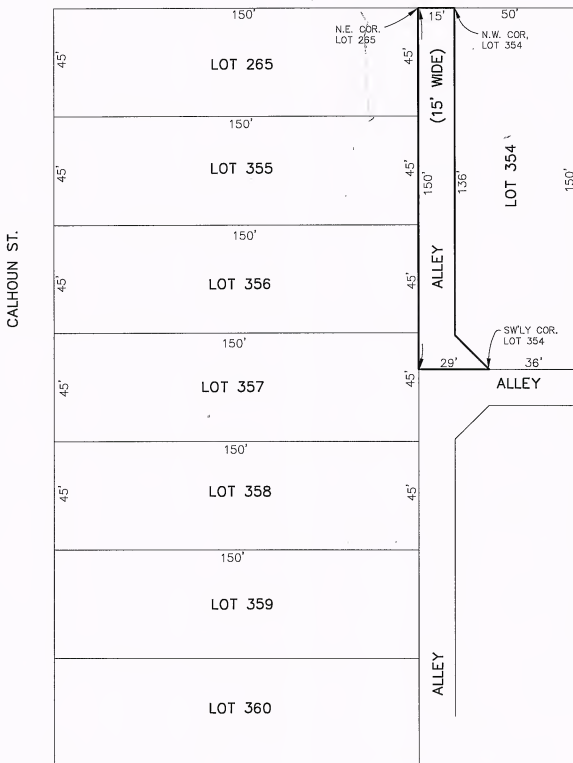
Printed Name

Date

SKETCH OF DESCRIPTION

COMMENCING AT THE NORTHEAST CORNER OF LOT 265, HAMILTON'S FOURTH ADDITION TO THE CITY OF FORT WAYNE, INDIANA; THENCE SOUTH ALONG THE WESTERLY LINE OF A 15 FOOT WIDE ALLEY, 150.00 FEET TO AN INTERSECTION POINT WITH THE SOUTH LINE OF LOT 354, SAID PLAT AS EXTENDED; THENCE EAST 29 FEET TO THE SOUTHWESTERLY MOST CORNER OF SAID LOT 354, SAID POINT BEING 36 FEET WEST OF THE SOUTHEAST CORNER SAID LOT 354; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 354 TO A CORNER OF SAID LOT 354 THAT IS 136 FEET SOUTH OF THE NORTHWEST CORNER SAID LOT 354; THENCE NORTH ALONG THE EASTERLY LINE OF SAID 15 FOOT WIDE ALLEY TO THE NORTHWEST CORNER OF SAID LOT 354; THENCE WEST, ALONG THE SOUTH LINE OF CREIGHTON AVENUE, 15 FEET TO THE PLACE OF BEGINNING.

CREIGHTON AVE.



DESCRIPTION PREPARED FOR:

E. L. F. CORPORATION

4260 HIDDEN LANES DRIVE, S.E.
KENTWOOD, MICHIGAN 49512

ABONMARCHE CONSULTANTS, INC.

95 West Main Street
Benton Harbor, Michigan 49022
616-927-2295
FAX: 616-927-46391711 E. McKinley Avenue
Mishawaka, IN 46545
219-255-8700
FAX: 219-255-8837ARCHITECTS / ENGINEERS / LAND SURVEYORS
NATURAL RESOURCES / CONSTRUCTION MANAGEMENT

DATE: - 13 FEB. 1995

DRAWN BY: - JRO

SCALE: - 1" = 40'

SEC. - T. - R. -

RESOLUTION

WHEREAS, E L F Corporation has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated alley situated in Fort Wayne, Allen County, to-wit:

Commencing at the northeast corner of Lot 265, Hamilton's Fourth Addition to the City of Fort Wayne, Indiana; thence south along the westerly line of a 15.5 foot wide alley, 150.00 feet to an intersection point with the south line of Lot 354, said plat as extended; thence east 29 feet to the southwesterly most corner of said Lot 354, said point being 36 feet west of the southeast corner said Lot 354; thence northwesterly along the southwesterly line of said Lot 354 to a corner of said Lot 354 that is 136 feet south of the northwest corner said Lot 354; thence north along the easterly line of said 15.5 foot wide alley to the northwest corner of said Lot 354; thence west, along the south line of Creighton Avenue, 15.5 feet to the place of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-3-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said public hearing was held on March 20, 1995 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated alley.

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated alley in Allen County, Indiana.

STATE OF INDIANA)


) SS:

COUNTY OF ALLEN)

I, Carol Kettler Sharp, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held, March 27, 1995 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 29th DAY OF March 1994

FORT WAYNE CITY PLAN COMMISSION



Carol Kettler Sharp
Secretary

RESOLUTION 82-14-4

WHEREAS, E L F Corporation has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated alley situated in Fort Wayne, Allen County, to-wit:

Commencing at the northeast corner of Lot 265, Hamilton's Fourth Addition to the City of Fort Wayne, Indiana; thence south along the westerly line of a 15.5 foot wide alley, 150.00 feet to an intersection point with the south line of Lot 354, said plat as extended; thence east 29 feet to the southwesterly most corner of said Lot 354, said point being 36 feet west of the southeast corner said Lot 354; thence northwesterly along the southwesterly line of said Lot 354 to a corner of said Lot 354 that is 136 feet south of the northwest corner said Lot 354; thence north along the easterly line of said 15.5 foot wide alley to the northwest corner of said Lot 354; thence west, along the south line of Creighton Avenue, 15.5 feet to the place of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-3-12; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN)

I, Linda Buskirk, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held July 26, 1995 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 26 DAY OF July 1995

FORT WAYNE BOARD OF PUBLIC WORKS

Linda Buskirk
Linda Buskirk
Chairman, Board of Public Works

C. James Owen
Member, Board of Public Works

Terrance P. McCaffrey
Terrance P. McCaffrey
Member, Board of Public Works

- a. Bill No. G-95-03-14 - Vacation Petition #578
The North-South alley from Creighton south to the first intersecting alley between Calhoun Street and Clinton Street.

Chris Cook, with Abonmarche Consultants, appeared before the Commission for the petitioner E L F Corporation. Mr. Cook stated that the vacation petition is being requested for the construction for the future building. He stated that they have seen the staff comments and reviewed them. He stated that they agree with the comments. He stated that their new construction appears to fit in with the plans of the LaRez Neighborhood. He stated that one of the staff recommendations is conditional approval providing utility easement and/or relocations. He stated that until they finish the design of the building they are not sure whether they will have to provide easements or relocate utilities. He stated that the other requirement of the staff is that the legal description is to be revised to 15½ feet wide. He stated that they have done so, and a copy of the new legal was available for the staff that evening. He stated that the third item requested by staff was a signature of the last remaining adjacent property owner. He stated that they have made contact with them, but due to an attorney being out of town they have not been able to coordinate with them and their attorney to get the signature. He stated that he felt that the conditions can be met with no problem on their part. He stated that the north-south and east-west alleys would remain so that access to all those existing residential uses that are not being purchased as part of this development will still have access. He stated that also a landscaping plan is being contemplated and they will work with the city on how to best screen the development from the residences.

Pat Fahey, Senior Planner with Land Use Management stated that he wanted to point out that the petitioner has noted several lots that they intend to acquire and use as part of the development. He stated that one of the lots is zoned residential - Lot 351 - which is at the corner of Creighton and Clinton Street. He stated that they should be aware that they will be limited as far the use of that particular lot, based on that residential zone.

Mel Smith questioned that in view of the traffic situation has the egress off of Clinton Street been discussed.

Mr. Cook stated that they have held a meeting with different city departments and they are aware that they are some things that they will need to work out with the city and with the department of transportation to determine the most efficient use of an ingress/egress.

Mel Smith questioned how many lots the development would encompass.

Mr. Cook stated that the building itself will encompass Lots 356, 357, 358 & 359.

Mr. Cook stated that they would demo all existing structures on the lots and a new building and parking area would be constructed.

Mel Smith questioned what business this property will be used for.

Mr. Cook stated that it will be a Walgreen's Drug Store.

There was no one else present who spoke in favor of or in opposition to the proposed vacation.

FACT SHEET

G-95-03-14

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE

Alley Vacation Ordinance

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

The N/S alley from Creighton south to the 1st intersecting alley between Calhoun & Clinton Street.

Reason for Project

Future construction of a new building.

Discussion (Including relationship to other Council actions)

20 March 1995 - Public Hearing

(See Attached Minutes of Meeting)

27 March 1995 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation contingent upon the petitioners providing utility easement and/or relocations as needed.

Of the five (5) members present, five (5) voted in favor of the motion.

Motion carried.

Members Present: Ernest Evans, James Hoch, Dave Ross, Carol Kettler Sharp, Mel Smith

Members Absent: Linda Buskirk, Thomas Quirk, Donald Schmidt, Vicky VerPlanck

POSITIONS

RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) E L F Corporation City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date 16 February 1995

Projected Completion or Occupancy

Date 2 August 1995

Fact Sheet Prepared by

Date 2 August 1995

Patricia Biancaniello

Reviewed by

Date

8 August 1995

Reference or Case Number

#578

DIGEST SHEET

TITLE OF ORDINANCE Alley Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE A north/south alley running south from Avenue lying between Lots 265, 354, 355, 356 and part of 357 in Hamilton's Fourth Addition.

9-95-03-14 (as marked)

EFFECT OF PASSAGE Property is currently dedicated public right-of-way. Property will be vacated and deeded to the adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain dedicated public right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE) _____



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

September 5, 1995

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of September 8, 1995,
in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-95-03-14 (as amended)
Alley vacation

Please send us 3 copies of the Publisher's Affidavit from both
newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-95-03-14)
(AS AMENDED)

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, SEPTEMBER 26, 1995, AT 5:30 P.M., (EST) IN THE COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the northeast corner of Lot 265, Hamilton's Fourth Addition to the City of Fort Wayne, Indiana; thence south along the westerly line of a 15.5 foot wide alley, 150.00 feet to an intersection point with the south line of Lot 354, said plat as extended; thence east 29 feet to the southwesterly most corner of said Lot 354, said point being 36 feet west of the southeast corner said Lot 354; thence northwesterly along the southwesterly line of said Lot 354 to a corner of said Lot 354 that is 136 feet south of the northwest corner said Lot 354; thence north along the easterly line of said 15.5 foot wide alley to the northwest corner of said Lot 354; thence west, along the south line of Creighton Avenue, 15.5 feet to the place of beginning.

ALL INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

September 5, 1995

Abonmarche Consultants Inc.
95 W Main Street
Benton Harbor, MI 49022

NOTICE OF PUBLIC HEARING ON BILL NO. G-95-03-14 (as amended)

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, September 26, 1995, at 5:30 P.M., in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, in the following:

The N/S alley from Creighton south to the 1st intersection
alley between Calhoun & Clinton Street - Future construction
of a new building.

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy
City Clerk

FW COMMON COUNCIL

(Governmental Unit)

To: **The Journal-Gazette** Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN County, Indiana**PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
 -- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

48 lines, 1 columns wide equals 48 equivalent lines
 at .33 cents per line

\$ 15.84

Additional charge for notices containing rule or tabular work
 (50 percent of above amount) _____

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00**TOTAL AMOUNT OF CLAIM**\$ 16.84**DATA FOR COMPUTING COST**Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: SEPT 8, 19 95Title: Julie L. Rortans Clerk**PUBLISHER'S AFFIDAVIT**

State of Indiana)

Allen County) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned **JULIE L. RORTANS** who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of **Fort Wayne, IN** in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time _____, the dates of publication being as follows:

9-8-1995Subscribed and sworn to before me this 8th day of SEPT, 19 95.Mary L. Adkinson Notary Public

My commission expires: NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
 MY COMMISSION EXP. JUNE 14, 1997

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. 0-35-03-14)
(AS AMENDED)

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, SEPTEMBER 26, 1995, AT 2:30 P.M. (EST) IN THE COMMON COUNCIL CONFERENCE ROOM, 128 CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the northeast corner of Lot 265, Wayne, Indiana; thence south along the westerly line of a 15.5 foot wide alley, 150.00 feet to an intersection; thence east 25 feet to the southeasterly corner of said Lot 354, said point being 35 feet west of the southeast corner said Lot 354; thence

northeasterly along the southeasterly line of said Lot 354 to a corner of said Lot 354 that is 138 feet south of the northeast corner said Lot 354; thence north along the easterly line of said Lot 354, 15.5 feet west, along the south line of Creighton Avenue, 15.5 feet to the place of beginning.

ALL INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD.

REASONABLE ACCOMMODATIONS FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A REASONABLE ACCOMMODATION SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
 CITY CLERK
 #933618

9-8

FW COMMON COUNCIL
(Governmental Unit)

To:

The News-Sentinel

Dr.

ALLEN County, Indiana

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

48 lines, 1 columns wide equals 48 equivalent lines
at .33 cents per line

\$ 15.84

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 16.84

DATA FOR COMPUTING COST

nn 12.5 ems

1
point

provisions and penalties of Chapter 155, Acts 1953,

the foregoing account is just and correct, that the amount
due, after allowing all just credits, and that no part of the

, 19 95

Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHTANS who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

9-8-95

Subscribed and sworn to before me this 8th day of SEPT, 19 95.

MARY T ADKISON Notary Public
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY

My commission expires:

MY COMMISSION EXP JUNE 14, 1997

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON TUESDAY, SEPTEMBER 26, 1995 AT 7:00 P.M. IN THE COMMON COUNCIL CONFERENCE ROOM 128 CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA 46802. THE MATTER TO BE CONSIDERED IS: A RESOLUTION TO REZONE ONE PARCELS (DESCRIBED AS FOLLOWS:

COMMENCED AT THE NORTHEAST CORNER OF LOT 208, DEPARTMENT'S SOUTH ADDITION TO THE CITY OF FORT WAYNE, INDIANA, THENCE SOUTH ALONG THE WESTERLY LINE OF SAID LOT 208 TO THE SOUTH LINE OF LOT 354, AND 100 FEET EXTENDED, THENCE EAST 23 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 354, THENCE SOUTH ALONG THE WESTERLY LINE OF SAID LOT 354 TO THE SOUTHWEST CORNER SAID LOT 354, THENCE SOUTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT 354 TO THE SOUTHWEST CORNER SAID LOT 354, THENCE SOUTH ALONG THE EASTERN LINE OF SAID LOT 354 TO THE WESTERLY LINE OF SAID LOT 354, THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 354 TO THE PLACE OF BEGINNING.

ALL INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD.
REASONABLE ACCOMMODATIONS FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE OF INDIANA'S AMERICANS WITH DISABILITIES ACT. FOR MORE INFORMATION, PLEASE CALL THE COMMON COUNCIL OFFICE AT (726) 354-1100. MEETING: SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.
SANDRA E. KENNEDY
CLERK
46802-18

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

Fort Wayne, IN

LINE COUNT

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

48 lines, 1 columns wide equals 48 equivalent lines
at .33 cents per line

\$ 15.84

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 16.84

Width of single column 12.5 ems
Number of insertions 1
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: SEPT 8, 19 95

Title: _____ Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned **JULIE L ROHYANS** who, being duly sworn, says that he/she is **Clerk** of the **The News-Sentinel** newspaper of general circulation printed and published in the English language in the (city) (town) of **Fort Wayne, IN** in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **1** time , the dates of publication being as follows:

9-8-95

Subscribed and sworn to before me this 6th day of SEPT, 1995

MARY L ADKISON Notary Public
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY

My commission expires: MY COMMISSION EXP JUNE 14 1997

Rate million

ALL INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD.

REASONABLE ACCOMMODATIONS FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FEDERAL LAW. ANY PERSON NEEDING ASSISTANCE TO PARTICIPATE SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120 TTY (219) 427-1120. AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK
#9393616